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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/45/765)]

45/142. Report of the Committee against Torture and status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The General Assembly,

Recalling article 5 of the Universal Declaration of Human Rights 1/ and article 7 of the International Covenant on Civil and Political Rights, 2/ both of which provide that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment,

Recalling also the Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly in its resolution 3452 (XXX) of 9 December 1975,

Recalling further its resolution 39/46 of 10 December 1984, by which it adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and called upon all Governments to consider signing and ratifying the Convention as a matter of priority, as well as its subsequent resolutions on the status of the Convention,

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1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

most recently its resolution 44/144 of 15 December 1989, as well as the Commission on Human Rights resolutions on the subject, most recently resolution 1990/28 of 2 March 1990, 3/

Mindful of the relevance, for the eradication of torture and other cruel, inhuman or degrading treatment or punishment, of the Code of Conduct for Law Enforcement Officials 4/ and of the Principles of Medical Ethics relevant to the role of health personnel, particularly physicians, in the protection of prisoners and detainees against torture and other cruel, inhuman or degrading treatment or punishment, 5/

Recalling the adoption of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 6/

Seriously concerned about the alarming number of reported cases of torture and other cruel, inhuman or degrading treatment or punishment taking place in various parts of the world,

Determined to promote the full implementation of the prohibition, under international and national law, of the practice of torture and other cruel, inhuman or degrading treatment or punishment,

Taking note of the decision of the Commission on Human Rights, in its resolution 1990/34 of 2 March 1990 3/ to extend for two years the mandate of the Special Rapporteur to examine questions relevant to torture,

1. Welcomes the report of the Committee against Torture; 7/

2. Takes note of the report of the Secretary-General on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; 8/

3/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 and corrigendum (E/1990/22 and Corr.1), chap. II, sect. A.

4/ Resolution 34/169, annex.

5/ Resolution 37/194, annex.

6/ Resolution 43/173, annex.

7/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 44 and corrigendum (A/45/44 and Corr.1).

8/ A/45/405.

3. Stresses the importance of strict adherence by States parties to the obligations under the Convention regarding the financing of the Committee against Torture, thus enabling it to carry out in an effective and efficient manner all the functions entrusted to it under the Convention, so as to ensure the long-term viability of the Committee as an essential mechanism for overseeing the effective implementation of the provisions of the Convention;

4. Welcomes the attention that the Committee against Torture has given to the development of an effective system of reporting on the implementation of the Convention by States parties, and especially its revision of its general guidelines for the submission of initial reports by States parties;

5. Welcomes also the continuing close contacts and exchange of information, reports and documents between the Committee against Torture and the Special Rapporteur of the Commission on Human Rights on questions relating to torture;

6. Requests the Secretary-General to ensure the provision of appropriate staff and facilities for the effective performance of the functions of the Committee against Torture;

7. Reiterates its request to all States to become parties to the Convention as a matter of priority;

8. Once again invites all States, upon ratification of or accession to the Convention, or subsequently, to consider the possibility of making the declarations provided for in articles 21 and 22 of the Convention;

9. Also requests the Secretary-General to submit to the Commission on Human Rights at its forty-seventh session and to the General Assembly at its forty-sixth session a report on the status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

10. Decides to consider the report of the Secretary-General at its forty-sixth session under the item entitled "Torture and other cruel, inhuman or degrading treatment or punishment".

68th plenary meeting
14 December 1990